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Docket No. UF-530XT

Serial No. 10/660,069

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STATUS OF THE CLAIMS

Claims 21-49 are currently pending in the case. Claims 21-24, 28-31 and 44 are amended. If entered, claims 21-49 will remain pending in the case.

REJECTION UNDER 35 USC §103

Claims 21-37 are rejected under §103(a) as unpatentable over Lynch, *et al.* for reasons previously of record. The reference is asserted to teach the claimed method for detecting spectrin breakdown products except for the specific breakdown products recited in the instant application.

Applicants have amended the claims in accordance with the Examiner's suggestion to more clearly indicate that the detection method includes identification of both spectrin and at least one of the listed specific spectrin breakdown products; *i.e.*, "at least two biomarkers". It is believed that the rejection has been overcome and applicants respectfully request withdrawal of the rejection.

REJECTION UNDER 35 USC §101

Claims 21-29 are rejected under 35 U.S.C. §101 as directed to non-statutory subject matter, particularly for reciting a sample and antibodies that could be understood as containing a subject's own antibodies. Applicants have amended claim 21 (thus relating to dependent claims 22-29) to make clear that the antibodies are "added" to the fluid sample, not in the sample as obtained from the subject. Applicants believe that this amendment overcomes this rejection and respectfully requests withdrawal of the rejection.

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CONCLUSION

Applicants believe that the rejections have been overcome and respectfully submit that the claims are in condition for allowance. Should any issues remain, applicants request a telephone conference with the undersigned at the number indicated.

Applicants respectfully request reconsideration of the application and believe that the rejections raised by the Examiner have been fully addressed.

Respectfully submitted,

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